GHAJAR
EXHIBIT 36

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IN THE UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

_____

RICHARD KADREY, et   al.,   )
)
Individual and Representative   )   Lead Case No.
Plaintiffs,   )
)   3:23-cv-03417-VC
   v.   )
)
Meta Platforms, Inc.,   )
)
Defendant.   )
_____)

** H I G H L Y C O N F I D E N T I A L **

30(b)(6) VIDEOTAPED DEPOSITION OF

META PLATFORMS, INC.

BY: MICHAEL PATRICK CLARK

Denver, Colorado

VOLUMES I AND II

Wednesday, November 13, 2024

Thursday, November 14, 2024

Reported stenographically by:

Michelle Kirkpatrick, RDR-CRR-CRC-CRI, FCRR

_____

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 1            MS. POUEYMIROU:  We'll use that.

 2            MS. HARTNETT:  Thank you.

 3  BY MS. POUEYMIROU:

 4       Q    The ability of the model to produce

 5  verbatim content from the training data.

 6            Is that a fair definition that we can work

 7  with right now with respect to an output that has

 8  memorized training data?

 9       A    Okay.  I got confused because of the

10  multiple questions and the back-and-forth.

11       Q    Yeah.  So my question is:  The prevention

12  of noninfringing works -- we will ignore the

13  "noninfringing" language.  It's a legal language.

14            When we were talking yesterday about

15  preventing outputs, memorization, and efforts to

16  mitigate training data from being outputted, is that

17  an effort to mitigate training data -- sorry -- is

18  that an effort to mitigate outputs that match the

19  data on which Llama was trained or fine-tuned?

20       A    The technical and foundational basis for

21  the memorization mitigations or the

22  re-identifiability mitigations originated from work
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1   we were doing on privacy to make sure that the model

2   would not regurgitate information about private

3   individuals.

4   We believed that, and it is our position

5   that using copyrighted data for training falls

6   within fair use boundaries; but while we had the

7   mitigations that we had already built for privacy,

8   we applied and made sure that we were doing the same

9   mitigations more broadly, including, in both privacy

10   and IP, measuring the likelihood of memorization or

11   regurgitation or re-identifiability of content.

12   Q   Okay. And tying that back to your

13   testimony about transformation, is it Meta's

14   position that transformation occurs when the data

15   that is ingested is tokenized?

16   A   It is the combination of the entire

17   process.

18   So it is -- are you --

19   Q   No, I'm waiting for your --

20   A   I thought you were asking something.

21   It's the entire process. It's -- there's

22   an entire set of data, and then that data is cleaned

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1   STENOGRAPHIC REPORTER'S CERTIFICATE

2   I, Michelle Kirkpatrick, a Registered

3   Diplomate Reporter, Federal Certified Realtime

4   Reporter, do hereby certify that previous to the

5   commencement of the examination, the deponent was duly

6   sworn by me to testify to the truth.
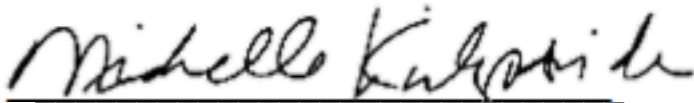
7   I further certify that this deposition

8   was taken in shorthand by me at the time and place

9   herein set forth and was thereafter reduced to

10   typewritten form, and the foregoing constitutes a true

11   and correct transcript.

12   I further certify that I am not related

13   to, employed by, nor of counsel for any of the parties

14   or attorneys herein nor otherwise interested in the

15   outcome of this action.

16   IN WITNESS WHEREOF, I have hereunto set

17   my hand this 18th day of November, 2024.

18

19

20   MICHELLE KIRKPATRICK

                     RDR-CRR-CRC-CRI, FCRR

21   Registered Diplomate Reporter

22   Federal Certified Realtime Reporter